

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

FIA CARD SERVICES, N.A.

Plaintiff/Counter-Defendant

v.

JASON OSTENDORF

Defendant/Counter-Plaintiff

JASON OSTENDORF

Third Party Plaintiff

v.

RUBENSTEIN, COGAN & REVESMAN

And

MITCHELL RUBENSTEIN, ESQUIRE

Third Party Defendants

CIVIL ACTION NO.: \_\_\_\_\_

**NOTICE OF REMOVAL UNDER 28 U.S.C. §1441(b)**

Rubenstein, Cogan & Revesman, P.C. and Mitchell Rubenstein, Esquire, Third Party Defendants, hereby gives notice that this action is removed from the Circuit Court for Baltimore County, Maryland to the United States District Court for the District of Maryland. This notice is being given pursuant to 28 U.S.C. §1441 and §1446. In support of the notice of removal, the Third Party Defendants state as follows:

1. On September 25, 2009, Defendant/Counter-Plaintiff and Third Party Plaintiff Jason Ostendorf filed a Third Party Complaint against Third Party Defendants in the Circuit Court for Baltimore County, Maryland (Case No. 03-C-09-006188-CN).
2. Copies of all process, pleadings and other papers contained in the state court file are attached hereto and incorporated by reference as Exhibit 1.

3. The parties to this action are:
  - A) FIA Card Services, N.A., a National Bank with its principal place of business in the State of Delaware.
  - B) Jason Ostendorf Defendant/Counter-Plaintiff, a resident of the State of Maryland.
  - C) Rubenstein, Cogan & Revesman, P.C., a professional corporation engaged in the practice of law in the State of Maryland.
  - D) Mitchell Rubenstein, Esquire, a Maryland licensed attorney.
4. In the Third Party Complaint, Third Party Plaintiff Jason Ostendorf alleges a cause of action under the Fair Debt Collection Practices Act (15 U.S.C. § 1692, et. seq.).
5. This Court has original jurisdiction over the subject matter of the Third Party Complaint pursuant to 28 U.S.C. §1331.
6. Pursuant to 28 U.S.C. §1441, this case may be removed from the Circuit Court for Baltimore County, Maryland to the United States District Court for the District of Maryland.
7. Attached hereto as Exhibit 2 is a consent to removal executed by counsel for FIA Card Services, N.A.

THE LAW OFFICES OF RONALD S. CANTER, LLC

/s/ Ronald S. Canter

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Ronald S. Canter, Esquire

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Attorney for Plaintiff/Counter-Defendant and  
Third Party Defendants

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing was served upon the individual listed below by First Class Mail, Postage Prepaid on this 22nd day of October, 2009 to:

Jason A. Ostendorf, Esquire  
Law Office of Jason Ostendorf, LLC  
One Corporate Center, Suite 400  
10451 Mill Run Circle  
Baltimore, MD 21117  
Defendant/Counter-Plaintiff

/s/ Ronald S. Canter

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Ronald S. Canter, Esquire  
Attorney for Plaintiff/Counter-Defendant and  
Third Party Defendants